



INTERVENTION
DEPARTMENT OF THE ARMY
UNITED STATES ARMY LEGAL SERVICES AGENCY
9275 GUNSTON ROAD
FORT BELVOIR, VIRGINIA 22060-5546



REPLY TO
ATTENTION OF
Regulatory Law Office

September 5, 2012

RECEIVED
AZ CORP COMMISSION
DOCKET CONTROL

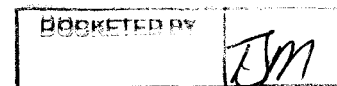
Subject: In The Matter Of The Application Of Tucson Electric Power Company For The Establishment of Just and Reasonable rates and Charges Designed to Realize A Reasonable Rate Of Return On The Fair Value Of Its Operations Throughout The State Of Arizona.

Arizona Corporation Commission Docket No. E-01933A-12-291. Arizona Corporation Commission

DOCKETED

SEP 07 2012

Arizona Corporation Commission
Docket Control
1200 West Washington Street
Phoenix, Arizona 85007



Sir/Madam:

Enclosed for filing with the Arizona Corporation Commission are the original and ten copies of the Motion for Leave to Intervene of the Department of Defense and All Other Federal Executive Agencies in the subject proceeding.

Copies of this Motion have been sent in accordance with the attached Certificate of Service. Inquiries concerning this matter may be directed to the undersigned at (703) 693-1270. Thank you.

Sincerely,

Terrance A. Spann
General Attorney
Regulatory Law Office (JALS-RL/IP)
Office of the Judge Advocate General
U. S. Army Legal Services Agency
9275 Gunston Road
Fort Belvoir, VA 22060-5546
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Enclosure

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

GARY PIERCE - Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

IN THE MATTER OF THE APPLICATION OF TUCSON ELECTRIC POWER COMPANY FOR THE ESTABLISHMENT OF JUST AND REASONABLE RATES AND CHARGES DESIGNED TO REALIZE A REASONABLE RATE OF RETURN ON THE FAIR VALUE OF ITS OPERATIONS THROUGHOUT THE STATE OF ARIZONA	DOCKET NO. E-01933A-12-291
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MOTION FOR LEAVE TO INTERVENE

The Secretary of Defense, through duly authorized counsel and on behalf of the consumer interests of the United States Department of Defense and all other Federal Executive Agencies (collectively referred to herein as “DoD”), hereby petitions the Arizona Corporation Commission (“the Commission”) for leave to intervene in the above-captioned proceeding. DoD has a direct and significant interest in this proceeding. Application to Intervene is filed pursuant to Rule 14-3-105 of the Commission’s Rules of Practice and Procedure. In support of this Application, DoD states as follows:

I

That it is duly authorized by law to make and file this Motion.

II

That DoD will be represented by, with all documents served upon and all communications referred to, its duly authorized attorney, a U. S. Department of Defense employee:

Terrance A. Spann, Esq.
General Attorney
Regulatory Law Office (JALS-RL/IP)
U. S. Army Legal Services Agency (USALSA)
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Telephone: (703) 693-1270
Fax: (703) 806-0123
terrance.a.spann.civ@mail.mil

III

That the United States maintains certain military installations and civilian agency activities within the State of Arizona, a number of which obtain electric service from Tucson Electric Power (TEP) company. On July 2, 2012 Tucson Electric Power filed with the Commission a request to increase its rates and charges for electric service. In this instant proceeding this Commission proposes to evaluate the Company's Application to determine whether it is in the public interest.

IV

That the DoD purchases large quantities of electric service from the Company in Arizona. Among the major federal facilities receiving electric service from TEP are: Fort Huachuca and Davis Monthan Air Force Base. DoD is a customer with a significant economic interest in this proceeding and would be affected by its outcome.

V

That the interest of DoD is such that it cannot be adequately protected by any other party. The load factor, characteristics, and rate schedules upon which these facilities buy

power makes their usage distinct from other large customers. DoD Installations have substantial investments in electric utility distribution plant, and a moderate load factor similar to that of a municipal utility. The DoD will present evidence that will be of value to the Commission in its determination of the issues.

IV

That DoD's intervention and participation herein will not unreasonably broaden the issues, burden the record, unduly affect the rights of participating parties or unreasonably delay the proceeding.

WHEREFORE, DoD, petitions the Commission for leave to intervene in the captioned proceeding as party with full rights to participate in the proceeding, including the right to discovery, to examine witnesses, to file testimony and briefs and to be heard at oral argument.

Respectfully submitted,



Terrance A. Spann

General Attorney
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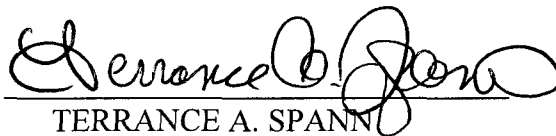
For
The United States Department of Defense
And
All Other Federal Executive Agencies

Dated: September 5, 2012

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion for Leave to Intervene of the United States Department of Defense was sent to the parties on the attached service list either by United Parcel Service or by first class mail, postage prepaid on September 5, 2012.

Dated at Fort Belvoir, Virginia, this 5th day of September 2012.


TERRANCE A. SPANN

Original and thirteen (13) copies
of the foregoing sent Expedited UPS
this 5th day of September 2012 to:

Docket Control
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

Copy of the foregoing mailed this
5th day of September 2012 to:

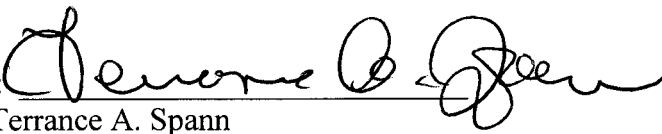
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By: 
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